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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Steven Armando Saenz,

Petitioner,

vs.

Craig Apker,

Respondent.

No. CV 07-2520-PHX-JAT

**ORDER**

Pending before this Court is Petitioner's Petition for Writ of Habeas Corpus and Petition for Judicial Review. On November 4, 2008, the Magistrate Judge to whom this case was assigned issued a Report and Recommendation which recommended that both Petitions be denied as moot. (Doc. #17).

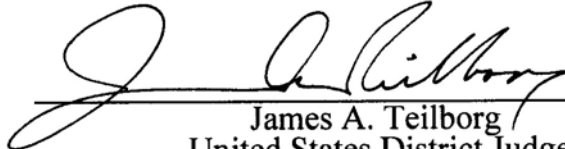
Neither party has filed objections to the R&R. Accordingly, the Court hereby accepts the R&R. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985) (finding that district courts are not required to conduct "any review at all . . . of any issue that is not the subject of an objection" (emphasis added)); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*) ("statute makes it clear that the district judge must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise" (emphasis in original)); *see also Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D. Ariz. 2003).

Therefore,

1           **IT IS ORDERED** that the Magistrate Judge's Report and Recommendation (Doc.  
2 #17) is **ACCEPTED**;

3           **IT IS FURTHER ORDERED** that Petitioner's Petition for Writ of Habeas Corpus  
4 (Doc. #1) and Petitioner's Petition for Judicial Review (Doc. #14) are **DENIED as moot**;  
5 and the Clerk of the Court shall enter judgment dismissing this case.

6           DATED this 4<sup>th</sup> day of December, 2008.

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9           James A. Teilborg  
              United States District Judge